

Regular Session of the Board of County Commissioners for the County of St. Joseph, State of Michigan, was held in the Commissioners' Room, Courthouse at the Village of Centreville, Michigan on October 21, 2008, at 5:00 p.m.

Acting Chairman David J. Pueschel called the meeting to order.

The Invocation was given by Commissioner Pueschel.

The Pledge to the American Flag was given.

The Clerk, Pattie S. Bender, called the roll and the following Commissioners were present:

Eric Shafer	Gerald E. Loudenslager
Michael D. Dunlap	David J. Pueschel

Absent: Robin Baker, Monte Bordner and John L. Dobberteen

Also present were Judy West-Wing, Administrator/Controller, Dan Carey, Finance Director and Andy Goldberger, Interim Human Resource Director.

AGENDA

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the agenda be approved. Motion carried.

MINUTES APPROVED

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the minutes for October 7, 2008 be approved. Motion carried.

CLOSED SESSION MINUTES APPROVED

It was moved by Commissioner Dunlap and supported by Commissioner Loudenslager that the closed session minutes of October 7, 2008 be approved. Motion carried.

COMMUNICATIONS

1. Letter from the Michigan Association of Counties, Re: MAC Legislative Update, October 10, 2008.
2. Letter from the Michigan Association of Counties, Re: Thank you for resolution regarding House Bill 6112.
3. Letter from the City of Sturgis, Re: Notice of public hearing on October 22 to consider an Industrial Facilities Exemption Certificate to Amish Country Cheeses Spread.
4. Resolution from Antrim County, Re: House Bill 6070 (911 funding.)
5. Southwest Michigan Substance Abuse Advisory Council meeting dates for 2009.
6. Minutes of the Commission on Aging Board meeting of August 20, 2008.

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the communications be accepted and placed on file. Motion carried.

EMPLOYEE SERVICE RECOGNITION

Commissioner Dunlap stated that he was asked to say a few words preceding the Employee Service Recognition. He stated that Administrator/Controller Judy West-Wing is proud of our employees and he further stated that he thinks that the county employees are great and he thought that even before he was a Commissioner.

The following persons were recognized for their years of service and they were congratulated by each Commissioner. The "*" denotes their presence.

<u>10 Years:</u>	<u>Date of Hire</u>
Rhonda McGlothlen, Typist-Clerk	5/19/98
David Alli, Road Patrol Officer	6/02/98
*Dena Wyckoff, Deputy Circuit Court Clerk	8/18/98
*Cheri Bouterse, Deputy Drain Commissioner	8/24/98
Mary Ives, Deputy Treasurer	12/01/98

<u>15 Years:</u>	
Kitty Buchner, Administrative Secretary	1/05/93
Lonnie Palmer, Road Patrol Officer	3/09/93
Mark Books, Jail Administrator	8/10/93
Vicky Anders, Chief Deputy Treasurer	9/07/93
Sally Wickum, Deputy District Court Clerk	10/28/93
*Brad Balk, Road Patrol Officer	11/02/93
*Joanne Larimer, Diversion Caseload Coordinator	12/08/93
Mike Minger, Corrections Officer	12/28/93

<u>20 Years:</u>	
*Tom Cripe, Animal Control Officer	3/17/88
*Dan Wing, Information Technology Director	5/03/88
Pete VanCamp, Road Patrol Officer	10/04/88
*Jim Barnes, Emergency Services Coordinator	10/07/88
*Jim Hart, Detective/Sergeant	10/18/88

<u>25 Years:</u>	
Phyllis Bainbridge, County Treasurer	8/01/83
*Cynthia Jarratt, Register of Deeds	11/21/83

<u>30 Years:</u>	
Linda Jones, Senior Deputy District Court Clerk	8/15/78
*Henry VanGemert, Senior Probation Officer	11/07/78

RESOLUTION NO. 17-2008
PROCLAMATION HONORING BERNICE METZGER

Commissioner Shafer read the following resolution:

WHEREAS, Bernice Metzger has been employed by St. Joseph County since January 28, 1987; and

WHEREAS, Bernice continues to work in a large number of County offices including, but not limited to, the County Clerk, Treasurer, Register of Deeds, Probate Court, Circuit Court, Animal Control, Land Resource Centre and MSU Extension; and

WHEREAS, Bernice performs a broad array of duties, adapting to all tasks with equal enthusiasm; and

WHEREAS, Experience Works is a national nonprofit organization that offers training, employment and community service opportunities to seniors; and

WHEREAS, Bernice was nominated for the Experience Works Outstanding Older Worker by a co-worker, gaining letters of support from many department managers; and

WHEREAS, Bernice Metzger is the proud recipient of the 2008 Older Workers' Award representing the State of Michigan; and

WHEREAS, the purpose of the Prime Time Awards is to salute the contributions of the older worker, who is such an important and growing part of America's workforce today.

WHEREAS, Bernice traveled to Washington, D.C. in September to represent the State of Michigan at the Experience Works Prime Time Awards gala and accepted her distinguished award; and

WHEREAS, Bernice's superior work ethic, employer loyalty, flexible schedule, "can-do" attitude and contagious smile makes her an invaluable asset to St. Joseph County.

NOW, THEREFORE, LET IT BE RESOLVED, that the St. Joseph County Board of Commissioners recognizes and expresses grateful appreciation for the many years of devoted service that Bernice Metzger has given to the County of St. Joseph and congratulates her on her well-deserved Older Workers' Award.

BE IT FURTHER RESOLVED, that this resolution be spread upon the proceedings of the St. Joseph County Board of Commissioners and be presented to Bernice Metzger on this 21st day of October, 2008 with sincere gratitude and appreciation.

It was moved by Commissioner Shafer and supported by Commissioner Loudenslager that the resolution be adopted and 2nd reading waived.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Shafer, Loudenslager, Dunlap and Pueschel.

Nay votes cast: 0

Absent: 3 - Commissioners Baker, Bordner and Dobberteen.

Resolution adopted.

ANNUAL CHILD CARE FUND PLAN AND BUDGET

Probate Judge Thomas Shumaker presented the Annual Child Care Fund Plan and Budget. He stated that there has been a lot of transition since Dennis DeVore left 4½ years ago. The current administrative team has been in place for 1 year and it is working well.

Judge Shumaker stated that institutional care does not work very well therefore they have many programs in place. The Casework/Probation Services are the Juvenile Day Treatment; in-home detention; detention; anger management; peer plus; CSC offender counseling plus others. If they do not have enough participants they do not have the program, but if they do they are ready for all of the programs that they have in place.

Judge Shumaker added that he and 3 other employees attended an MJI Training a week or so ago regarding the magnitude of the sanctions that are placed on juveniles. The diversion programs are working. They are taking more of a criminal justice stance.

Judge Shumaker further stated that the plan this year includes shifting many expenses from the County's General Fund to the Child Care Fund in hopes that the State will approve reimbursing 50% of these expenses. If the State approves, it includes the creation of one more caseworker position and because 50% of the expenses would be reimbursed it means getting more staff for the same amount of County expense. If the State does not approve the plan, then the budget would be amended and the new position not created.

Chris Kadulski, Director of the Human Services Department, has a portion of the child care fund. They have 15-20 children each month. They are making the same request for funding as they have the last few years.

In response to a question by Commissioner Loudenslager, Mr. Kadulski recapped a law suit that has just been settled that will require relatives to be licensed to care for the children and in return will receive the daily foster care rate.

Francisco Ortiz, Supervisor/Referee stated that they have a good administrative team and the caseworkers are becoming better educated.

Terry Evans, Director/Referee asked if anyone had any questions.

It was moved by Commissioner Shafer and supported by Commissioner Dunlap that the Annual Child Care Fund Plan and Budget be adopted.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Shafer, Loudenslager, Dunlap and Pueschel.

Nay votes cast: 0

Absent: 3 - Commissioners Baker, Bordner and Dobberteen.

Plan and Budget adopted.

PROBATE COURT'S ANNUAL REPORT

Judge Shumaker gave an overview of Probate Court's Annual Report commending the 2 women that work there. They deal with wills, guardianships and adoptions among other duties.

The new computer system that was installed in 2007 continues to be a challenge but it is a good system and it is getting the job done.

Judge Shumaker remarked that he has never had a Court Reporter or a Bailiff in his courtroom. The County has allowed him to have part time help when one of the women is on vacation.

It was moved by Commissioner Shafer and supported by Commissioner Dunlap that Probate Court's Annual Report for 2007 be accepted. Motion carried.

REQUEST TO FILL VACANT COURT LIAISON SECRETARY – PROSECUTOR'S OFFICE

It was moved by Commissioner Dunlap and supported by Commissioner Shafer that the vacant court liaison secretary's position in the Prosecutor's Office be filled. Motion carried.

REQUEST TO PURCHASE TRUCK WITH 2006 HOMELAND SECURITY GRANT FUNDS

Ms. West-Wing stated that everyone had received a copy of a letter from Jim Barnes, Emergency Services Coordinator, requesting permission to purchase a 1 ton crew cab pickup fully equipped for around \$40,000 using 2006 Homeland Security grant funds.

Mr. Barnes stated that the reason for the request is that the Homeland Security Trailer, when loaded, is hard to pull with a ¾ ton pickup. He stated that the truck will be based in St. Joseph County but will be an asset to the Region.

It was moved by Commissioner Loudenslager and supported by Commissioner Dunlap that the 1 ton pickup be purchased with 2006 Homeland Security Grant monies.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Shafer, Loudenslager, Dunlap and Pueschel.

Nay votes cast: 0

Absent: 3 - Commissioners Baker, Bordner and Dobberteen.

Motion carried.

SET PUBLIC HEARING FOR 2009 BUDGET

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the public hearing on the 2009 budget be held on November 3, 2008 at 5:15 p.m. Motion carried.

SET 2009 SALARIES FOR ELECTED OFFICIALS

Ms. West-Wing stated that according to the law Elected Officials Salaries have to be set by November 1st of each year. They may be raised but not lowered. Historically they are set based on the current year schedule and then discussed during the budget process for the following year.

County Clerk	\$56,294
Prosecuting Attorney	\$68,652
Register of Deeds	\$52,135
County Treasurer	\$56,294
Sheriff	\$53,847

It is expected that those occupying the above positions will work a 40 hour week.

Drain Commissioner (28 hours/week)	\$29,242
County Commissioners	* \$7,200
*Includes regular and special Board meetings	
Per Diem - \$50/half day and \$95/full day	

Effective January 1, 2007 all regular part-time employees scheduled 20 hours/week or more and that receive other specified benefits on a prorata basis, and county commissioners, have access to the County provided health, dental, and optical insurance program provided they pay 100% of the premium cost.

NOTE:

Compensation (wages and fringes) for the members of the Board of Commissioners must be set prior to December 31st for the new term beginning January 1st. Once set, compensation cannot be decreased or increased during the 2 year term of office (January 1st through December 31st). (MCL 46.415, Sec. 15(3); PA 261 of 1966 as amended).

All other elected official salaries must be set by the Board no later than November 1st of each year. They can be increased after this point, but not decreased. The only time elected officials wages can be decreased is by November 1st before the new term begins. Terms are 4 years (January 1st through December 31st). (MCL 45.421, Sec. 1(1); PA 154 of 1879 as amended).

Elected officials' annual wages are paid by dividing the annual salary by the number of pay periods in that year. In 2008 there will be 26 pay days.

It was moved by Commissioner Dunlap and supported by Commissioner Shafer that the 2009 Salaries for Elected Officials as listed above be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Shafer, Loudenslager, Dunlap and Pueschel.

Nay votes cast: 0

Absent: 3 - Commissioners Baker, Bordner and Dobberteen.

Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Loudenslager stated that the Law Enforcement Committee had not met.

Judiciary

Commissioner Loudenslager stated that everyone had a copy of the Judiciary Committee minutes of October 8th and would answer any questions that anyone may have.

Physical Resources

Commissioner Shafer stated that the Physical Resources Committee had not met.

Executive Committee

Minutes of the Executive Committee Meeting of October 17, 2008 have been distributed.

PERSONNEL REPORT

Ms. West-Wing presented the following report:

MISCELLANEOUS:

Jerimiah Abnet, Road Patrol Officer, is on medical leave commencing October 6, 2008 under the Family and Medical Leave Act of 1993.

RESIGNATION:

Cindy Flowers, Court Liaison Secretary - Prosecutor, has resigned effective October 24, 2008.

Amy Herrick, In-Home Services Aide, resigned effective October 1, 2008.

NEW HIRE:

Sandra Gentry was hired as In-Home Services Aide at \$9.85/hr. (COA grade 5, minimum) effective October 14, 2008.

It was moved by Commissioner Shafer and supported by Commissioner Dunlap that the personnel report be approved. Motion carried.

BUDGET ADJUSTMENTS

Ms. West-Wing presented the following report:

FROM GENERAL FUND CONTINGENCY:

\$5,000.00 to Circuit Court Law Library Appropriation.

FROM APPROPRIATION:

\$5,000.00 from Circuit Court Law Library Appropriation to Circuit Court Law Library Fund.

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the budget adjustments be approved. Motion carried.

FINANCE DIRECTOR'S REPORT

Mr. Carey presented the following reports:

Per Diem

Robin Baker - 7 half days 9/17, 9/25, 9/26, 10/1, 10/3, 10/15 & 10/17/08 & 2 full days 10/6 & 10/7/08	\$ 540.00
Monte Bordner - 4 half days 9/25, 9/26, 10/14 x 2 & 2 full days 9/22 & 10/8/08	390.00
John Dobberteen - 3 half days 10/3, 10/8 & 10/17/08 & 1 full day 9/17/08	245.00
Michael Dunlap - 7 half days 9/25, 10/1 x 2, 10/8, 10/10, 10/14 & 10/21/08	350.00
Gerald Loudenslager – 5 half days 9/23, 9/25, 10/8, 10/11 & 10/20/08 & 2 full days 9/25 & 10/20/08	440.00
David Pueschel – 6 half days 9/25, 9/26, 10/3, 10/15 & 10/17/08 x 2	300.00
Eric Shafer – 4 half days 10/1, 10/7, 10/14 & 10/17/08 & 1 full day 10/10/08	<u>295.00</u>
	\$2,560.00

Expenses

Robin Baker	\$ 429.45
Monte Bordner	252.72
John Dobberteen	87.17
Michael Dunlap	93.60
Gerald Loudenslager	189.18
David Pueschel	75.47
Eric Shafer	<u>155.03</u>
	\$1,282.62

It was moved by Commissioner Loudenslager and supported by Commissioner Shafer that the per diem and expenses be approved. Motion carried.

Financial Statements

	Revenues	Expenditures
September	\$ 1,043,714	\$ 1,137,276
Year to Date	10,596,077	10,405,193
Period Fund Balance	(\$771,562.00)	
Year to Date	(\$487,116.00)	
Percent of budget year elapsed year to date.	75.00%	
Percent of total budgeted funds earned year to date	70.33%	
Percent of total budgeted funds expended year to date	73.57%	

It was moved by Commissioner Shafer and supported by Commissioner Loudenslager that the financial statements be accepted. Motion carried.

INDEPENDENT CONTRACTOR'S AGREEMENT

Mr. Carey recommended approval of an Independent Contractor's Agreement for James Bedell for warrant officer services for the Friend of the Court.

It was moved by Commissioner Shafer and supported by Commissioner Loudenslager that the Independent Contractor's Agreement with James Bedell be approved.

The aye and nay vote was called as follows:

Aye votes cast: 4 - Commissioners Shafer, Loudenslager, Dunlap and Pueschel.

Nay votes cast: 0

Absent: 3 - Commissioners Baker, Bordner and Dobberteen.

Motion carried.

CHAIRMAN'S REPORT

Acting Chairman Pueschel stated that he likes the employee service awards and he appreciates what the employees do.

He reminded everyone of the Metzger recognition and party tomorrow at 10:00 a.m.

MISCELLANEOUS

Commissioner Dunlap stated that the employees are great reminding everyone that service awards are given only in 5 year increments, there are many more in between these years.

Commissioner Loudenslager agreed that the employees are great.

Commissioner Shafer also agreed and commended Commissioner Dunlap for the nice presentation of the service awards.

ADJOURNMENT

It was moved by Commissioner Shafer and supported by Commissioner Loudenslager that the St. Joseph County Board of Commissioner adjourn until November 3, 2008 at 5:00 p.m. Motion carried.

Pattie S. Bender, County Clerk

David J. Pueschel, Acting Chairman